

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON ARIAS,

Defendant.

Case No. 3:18-CR-30141-NJR-2

ORDER

ROSENSTENGEL, Chief Judge:

Pending before the Court is a Motion to Authorize Payment from Inmate Trust Account filed by the United States of America. (Doc. 96). The Government seeks an order, pursuant to 18 U.S.C. §§ 3613(a), 3664(k), and 3664(n), authorizing the Bureau of Prisons (BOP) to turn over to the Clerk of Court non-exempt funds held in the inmate trust account of Defendant Brandon Arias. The funds would be applied as payment toward the criminal monetary penalties imposed in this case. Arias did not file a response in opposition to the motion.

In support of its motion, the Government notes that on November 6, 2019, the Court sentenced Arias to 108 months in prison and three years of supervised release. (Doc. 61). The Court also ordered Arias to pay a special assessment of \$800, of which \$700 remained outstanding at the time the Government filed the instant motion.

On February 26, 2021, the Government was informed that Arias had a balance of \$2,095.83 in his inmate trust account. The Government requested that the BOP freeze \$700

of those funds for payment toward Arias's outstanding criminal monetary penalties. Thus, the BOP has possession, custody, or control of \$700 in encumbered funds belonging to Arias that are currently in the defendant's trust account. Arias made a payment of \$25 in March 2021; therefore, Arias now owes \$675 toward his special assessment.

For the reasons stated in the Government's motion, the Motion to Authorize Payment from Inmate Trust Account (Doc. 96) is **GRANTED**. The Bureau of Prisons is **ORDERED** to turn over to the Clerk of Court the amount of \$675. The Clerk of Court shall accept the deposit from the funds currently held in the trust account for the following inmate:

Inmate Name: Brandon Arias
Inmate Number: 73766-298
Inmate Facility: FCI Big Springs
1900 Simler Ave.
Big Spring, TX 79720

The Clerk shall apply these funds as payment toward the criminal monetary penalties owed by Arias in this case. Payments are to be made payable to the Clerk of the District Court, 750 Missouri Avenue, East St. Louis, Illinois 62201. The remaining \$25 that is encumbered shall be released to Defendant's trust account. The Government is **ORDERED** to provide a copy of this Order to the Garnishee.

IT IS SO ORDERED.

DATED: April 30, 2021

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive, flowing style. To the right of the signature, there is a faint circular seal, which appears to be the official seal of the U.S. District Court for the Eastern District of Missouri.

NANCY J. ROSENSTENGEL
Chief U.S. District Judge